



Assistance Association for Political Prisoners (Burma)

နိုင်ငံရေးအကျဉ်းသားများကူညီစောင့်ရှောက်ရေးအသင်း (မြန်မာနိုင်ငံ)

Monthly Chronology of Burma's Political Prisoners for March, 2012



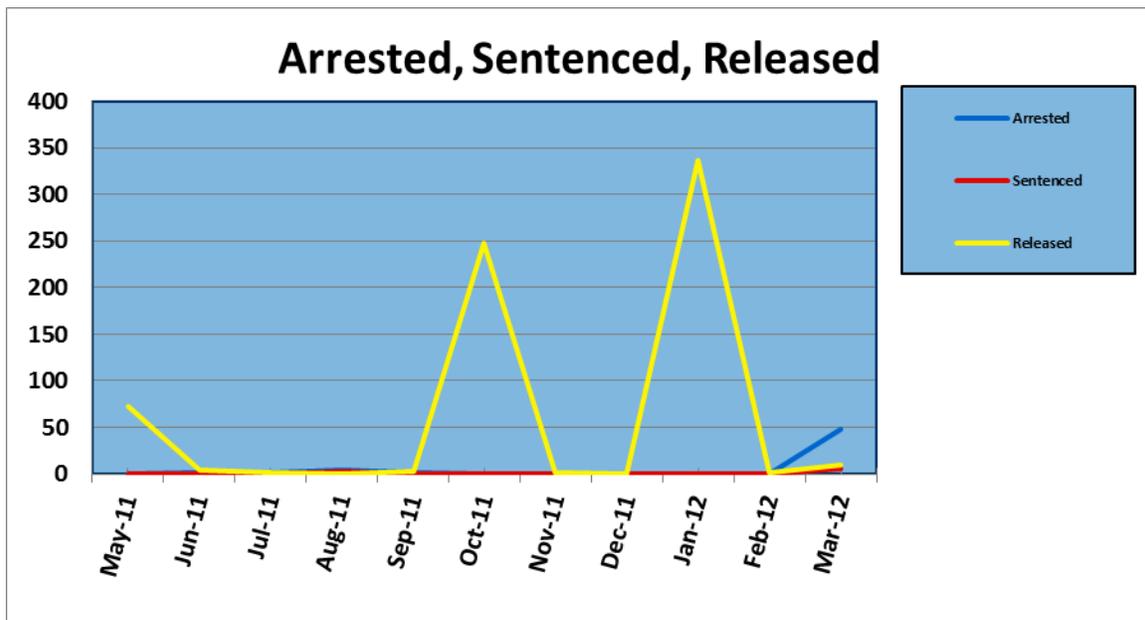
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Monthly Chronology March 2012



There were **46** arrests, **7** sentences, and **13** releases for the month of March.

Of the 46 arrested, 9 were briefly detained and released after a couple of days of interrogation. Twenty eight villagers arrested are currently facing charges.

Summary of the current situation

Trends

With extensive media coverage, both domestically and internationally, on the April 1 by-elections, the issue of the continued incarceration of political prisoners and the harassment those released face has taken a back seat. This issue, however, has not seen any improvement. Mahn Nyein Maung, an ethnic Karen leader, was sentenced to life plus three years this month for unlawful association and treason and released six days later. Also, U Gambira, monk leader of the 2007 protests released as part of the January presidential order, was re-arrested for the second time since his release and

was detained for a day and interrogated for hours. Such interrogation can have fatal consequences, as in the case of a 19 year old Shan woman, who fell to her death from a fifth story window after days of relentless interrogation and intimidation by the Bureau of Special Investigation (BSI).

Meanwhile, the situation in Kachin State has not improved, as reports of forced labor, abductions and other human rights abuses continue to come out. The sentencing of a farmer to 3 months of hard labor for refusing to move from their land to make way for a state development project is further evidence that protecting the rights of citizens is secondary to the interests of the state. A similar case is Than Aye, sentenced to a year for possessing a slingshot when in reality he was petitioning for the right to fish in waters leased by a government supported businessman.

It is encouraging that the political prisoner issue is not being swept under the carpet, as the US special envoy, Derek Mitchell maintained that the unconditional release of all political prisoners remains a condition for sanctions to be lifted. Strong words from the Trade Union Congress and the Burma Campaign UK have echoed this sentiment, urging the EU not to ignore the issue for trade advantages, regardless of the by-election results.

Torture and Treatment of Prisoners and their Families

The hundreds of political prisoners in Burma are not given treatment that complies with international standards for prisoners. Torture, while not as common as the 1990's, still goes on while many are transferred to remote prisons far from their families. In a disturbing case this month, Nang Wo Phan, an ethnic Shan woman, fell down 5 flights of stairs to her death at a police station. She had been interrogated relentlessly for 3 days and felt nauseous just before her fall. The exact details are unclear as the police have made threats to journalists trying to find more details on the case and have forced office workers to keep quiet about the incident. Nang Wo Phan's husband, a Japanese national, severely criticized her treatment: "She was only 19 years old and the police only gave her two hours rest per day and all the other time she was being constantly interrogated. She was afraid of this and that is why her mental state deteriorated and why she eventually jumped." Police brutality, it seems, is not on the wane.

When released, many political prisoners have their freedoms severely restricted. 88 Generation member, Ko Ko Gyi told DVB this month how his activities are closely monitored. While fear of re-arrest and being closely watched is routine, it is also difficult for freed political prisoners to rebuild their lives. A group of prominent ex-political prisoners called for more to be done for those released. U Win Tin, influential NLD member, stated that "people sometimes forget about political prisoners whose lives were destroyed." Adapting to a changing social environment and finding their place in the community is already a tough task for many of those released, made worse by the fact the regime does not provide any support for those they locked up and permanently damaged simply for opposing the military.

March 29th

[Woman in custody dies after falling from balcony \(DVB\)](#)

['My wife died from police abuse,' says husband \(Irrawaddy\)](#)

March 28th

[Rangoon woman in police station death plunge \(Irrawaddy\)](#)

March 19th

[Ex-political prisoners call for post-release care \(Irrawaddy\)](#)

March 6th

[Inside Burma's democracy movement \(The Age\)](#)

March 5th

['I still hear the clanging of cell doors' \(DVB\)](#)

Prisoners Released

The temporary nature of the releases in the last six months has been highlighted by Human Rights Watch in March. As many of those released were done so under article 401 of the constitution, they are vulnerable to re-arrest at any point in order to serve the remainder of their sentences. Thus without an independent judiciary and rule of law, the courts still have the power to continue the arbitrary sentencing that has been the status quo since the military coup of 1962. If prisoners are not guaranteed their freedom by an independent judiciary, they are subject to the whims of the President whom judges are desperate to curry favor with. As Human Rights Watch noted, rule of law is essential to guarantee the freedoms of those released and this is simply non-existent in Burma.

March 20th

[Burma's push for freedom is held back by its institutionally corrupt courts \(HRW\)](#)

Update on Individual Cases

There was no news to report this month.

National League for Democracy

There was no news to report on NLD political prisoners as the party continues their campaign for the April by-election.

March 2nd

[Problems obtaining campaign venue continue: NLD \(Mizzima\)](#)

88 Generation Students

88 Generation students group opened their first office in a quiet area of South Okkalapa Township in Rangoon. The spokesperson at their first press conference, Ko Min Ko Naing, articulated their future plans for peace building, building a transparent society, exposing public grievances and advocating for the fundamental rights of the public. He gave guarantees that their gatherings will not pose any sort of threat to the current situation and he prefers their activities to remain outside the formal parliamentary framework which is just as legitimate as representation in Parliament.

Meanwhile, another 88 Generation student leader Ko Ko Gyi, free after almost two decades behind bars said he and his colleagues have a guarded optimism about Myanmar's future, and have no thoughts of revenge against the regime even though some Burmese activists, including himself, had bitter experiences. He thought that more needs to be done as he has been watched by police.

March 5th

['I still hear the clanging of cell doors' \(DVB\)](#)

[No formal political role for influential dissidents \(Irrawaddy\)](#)

March 2nd

[President must 'go beyond words': Ko Ko Gyi \(DVB\)](#)

Ethnic Nationalities

Although the government-formed National Human Rights Commission has said that it would not be investigating reports of abuse of civilians in Burma's ethnic regions anytime soon, there are widespread reports of ongoing atrocities in the war-torn Kachin state at the hands of Burma Army soldiers. Despite the peace talks in the Chinese town of Ruili, fighting has continued. Moreover, Burmese troops have attacked the Shan State Army (South) (SSA) area at least 13 times despite having a cease fire agreement.

Top Karen National Union (KNU) official Mahn Nyein Maung was handed a life sentence and an additional 3 years imprisonment on the 13th of March after being charged with treason and unlawful association. He was then released on 19 March, just six days later. The charge of treason was brought against him without a President order, as is required. The court essentially rushed through his case so the President could issue a politically expedient pardon once he had been convicted.

The New Mon State Party (NMSP) issued a statement welcoming the release of Mahn Nyein Maung but complained of false promises made to them by the U Thein Sein regime. During three stages of peace talks between the NMSP and Railway Minister, Aung Min, assurances were made that their members would be released from prison. According to Nai Soe Myint of the NMSP, Aung Min vowed that "the NMSP members would be released automatically when the party becomes a legal party after signing the peace agreement" and that this would happen either on January 4th or February 12th. Their members remain in prison. A precedent of false promises and lies has long been set by successive military regimes in Burma and this shows no sign of waning.

Burma's Supreme Court has dismissed a lawsuit filed by the husband of an ethnic Kachin woman who was abducted by Burmese troops last year. Twenty-eight year old Sumlut Roi Ja, who had a 14-month-old daughter, has not been seen since she went missing on 28 October from Hkaibang village, in the northern state's Momauk Township. The Supreme Court has ignored her case while Burmese troops continue to commit human rights abuses in Kachin State.

March 27th

[Burma: Cynical manipulation of legal system \(Scoop\)](#)
[Despite ceasefire agreement, NMSP prisoners not released \(Mizzima\)](#)

March 23rd

[Courage and cowardice in the courtroom \(Irrawaddy\)](#)

March 21st

[Top court drops Kachin abductee case \(DVB\)](#)

March 19th

[KNU's 'Papillon' freed again \(Irrawaddy\)](#)

March 13th

[KNU official given life sentence \(DVB\)](#)

March 9th

[Govt 'accepts' Kachin army demands \(DVB\)](#)

March 2nd

[Two Burmese nationals arrested in India \(Mizzima\)](#)

Monks

Buddhist monk Ashin Gambira, one of the most prominent leaders of the anti-government protests in 2007, was apprehended for the second time since his release in January at around 6 pm on March 6. He was taken to a government office in the downtown area and interrogated by police for approximately nine hours until 4 am about his reasons for going to the war-torn areas of northern Burma. Finally, he and his younger brother Lwin Maung Maung, who was arrested with him, were released from detention at 9pm on March 7 after being interrogated separately.

The Asian Human Rights Commission released a statement on March 21 calling for the immediate release of Moepyar religious leader Shin Nyarna, who was sentenced to 20 years in prison for 'defiling the Buddhist religion' after he criticized the country's ruling officials for preventing religious freedom. Authorities arrested the 72-year-old religious official on 12 February 2010 while he was staying at Anupada Dharma Centre in Mandalay's Patheingyi Township. Meanwhile, Shin Nyarna's devotees have sent letters appealing the imprisonment to President U Thein Sein and the Myanmar National Human Rights Commission.

Around 500 people, including the relatives of political prisoners, gathered at Mandalay's Maha Myat Muni Pagoda on March 22 to pray for the unconditional release of jailed activists and others behind bars for political reasons. The gathering was organized by Buddhist monk and former political prisoner Ashin Wirathu. Although the protest did not receive official permission as the authorities were worried that this could turn into another uprising, many who took part in it openly held up signboards with messages calling for the release of all remaining political prisoners and it concluded peacefully. Monks who delivered Buddhist sermons at the event warned those who attended that they should be prepared to suffer if the authorities take action against them.

In general, former political prisoner monks feel that they are not really free as they know they are being watched by plainclothes policemen. Although it has introduced some reforms, the nominally civilian government headed by President U Thein Sein remains deeply distrustful of the monks in Burma.

March 23rd

[Rights group calls for religious leader's release \(DVB\)](#)

[Protest held in Mandalay for political prisoners \(Irrawaddy\)](#)

March 8th

[Ashin Gambira interrogated overnight \(Irrawaddy\)](#)

March 1st

[Burmese monks are cautiously optimistic about the future \(deutsche welle\)](#)

Cyclone Nargis Volunteers

There was no news to report this month.

Journalists, Bloggers and Writers (media activists)

Exiled reporters working for the Democratic Voice of Burma who used to have to carry out their work underground will be granted five-day journalist visas to carry out assignments inside the country for the first time since the organization was founded nearly two decades ago. The Information Minister Kyaw San also agreed for DVB

reporters to come and collect news officially. Aye Chan Naing, DVB chief editor, met with the head of Burma's notorious censor board, Tint Swe and presidential advisor Nay Zin Latt. DVB is considered an essential news department among the officials and media figures, said Aye Chan Naing.

The editor of another exile media group, Irrawaddy's Aung Zaw, commented that he still has some doubts although he was told that the president is keen to see press freedom blossom. He sees that editors in Rangoon are also confused by the relationship between the President's Office and Ministry of Information. He believes that the censorship board remains very active and the government will find a way to continue controlling the media. Burma still has several draconian security laws and the notorious Electronic Act that can be used to arrest and detain anyone, including journalists, without due process.

A lawsuit has been brought against journalist, Thet Su Aung of the Modern Weekly news journal in Mandalay for a critical report she made on a road deemed to be in poor condition. Along with Modern Journal's managing editor Wai Hlyan, she was granted bail on March 6 in the first hearing of the libel lawsuit filed by New New Yi, an engineer of Burma's Ministry of Construction following the publication of the article in November last year. She wrote that travel along the road linking the Mandalay division towns of Thabeikkyin and Tagaung was difficult due to a lack of maintenance. The article also said the engineer told the Su Htoo Pan Company to collect toll fees. In another case, Myanmar's government's Mines Ministry has threatened to sue a local news journal, Voice Weekly over a story that tested the limits of media freedom by alleging corruption in several ministries. In addition, reporters in Burma, who attempted to get the information of the 19 year old ethnic Shan girl who fell from the balcony of the Bureau of Special Investigation's (BSI) five story building during interrogation and died, were threatened with trouble or danger by BSI while they were following up their story.

A report released on March 12 by Reporters without Borders said Burma is again on the countries listed as "Enemies of the Internet," remaining in the ranks of countries that restrict Internet freedom the most: Burma, China, Cuba, Iran, North Korea, Saudi Arabia, Syria, Turkmenistan, Uzbekistan and Vietnam.

Despite some limited improvements some exile and Burma-based journalists have been still threatened and they said they may be reluctant to cover the news if journalists are sued frequently. The officials said that the censorship would be abolished when the new media law is introduced this year and the Ministry of Information is now drafting a media law but controversy has surfaced, as the proposed legislation has not been presented to anyone. Also, no one from either the independent or private media was invited to review or discuss the proposed legislation. Moreover, there is no guarantee that it will protect press freedom or security for journalists and in terms of press freedom, Burma is still ranked 169 out of 179 countries, according to an index by Reporters without Borders published in January.

March 16th

[Myanmar to sue over graft story \(The Jakarta Post\)](#)

March 13th

[Burma remains on 'enemies of the internet' list \(Mizzima\)](#)

March 7th

[Journalist on trial for criticising road \(DVB\)](#)

[Govt construction engineer sues Modern Journal \(Mizzima\)](#)

March 6th

[How much freedom does Burmese media enjoy? \(Irrawaddy\)](#)

March 1st

[Burma drops ban on DVB journalists \(DVB\)](#)

Women

Former political prisoner, Zin Mar Aung, was awarded the US secretary of State's 2012 International Woman of Courage award. She created and leads a self-help school for former female prisoners in Rangoon. She herself spent 11 years in prison for her part in the 1996 and 1998 pro-democracy uprisings.

March 6th

[Clinton to award Zin Mar Aung \(Irrawaddy\)](#)

Human Rights Defenders & Promoters Network

There was no news to report this month.

Labor Activists

There was no news to report this month.

Religious Minorities

Tying in with the authorities' persecution of ethnic Kachin people, most of whom are Christian, is their lack of tolerance for religious minorities. It is of no surprise that the US Commission on International Religious Freedom (USICRF) listed Burma as one of the world's worst abusers of religious freedom. Many Christian and Muslim people are harassed and arrested by the Burmese authorities. This month in Bhamo, Kachin State, a church was ransacked and money stolen while at a Christian conference in Chin State, the Burmese army disrupted and intimidated delegates, including MP Pu Van Cin who was threatened at gunpoint. Such religious discrimination is consistent with the disregard the Burmese Army shows to ethnic minorities, who continue to live in fear of arbitrary arrest and other human rights violations.

March 27th

[Burma army ransacks church in Bhamo district \(Asian Tribune\)](#)

March 21st

[U.S. names world's 'worst religious freedom violators' \(Mizzima\)](#)

March 20th

[Burmese army soldiers disrupt Christian conference \(Mizzima\)](#)

Students

There was no news to report this month.

Lawyers

There was no news to report this month.

Individual Activists

While the U Thein Sein regime is keen to attract investors and continue large-scale developments, the consequences for the environment and the rural people this

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affects are secondary. Thus, residents of Lewe Township in Naypyidaw have been sentenced to hard labour after protesting a relocation order. They were told to leave by authorities to make way for a government project but offered the villagers insufficient compensation, leaving them to dwell in makeshift huts.

That democracy is coming to Burma is a notion that the regime wants to convey but the reality is that any dissent is responded to swiftly and severely. A former political prisoner U Aung Myint from Bogalay, near Rangoon, initiated a solo protest by wearing prison uniform and iron shackles on his leg. He was arrested and sent to a mental health hospital for a week while his daughter was also temporarily detained and threatened with the retraction of her law degree and was verbally abused. U Aung Myint was simply expressing the reality of the lives for political prisoners but this is evidently too much for the authorities.

Than Aye, a fisherman in Irrawaddy Division, was sentenced to a one year prison term for possessing a slingshot. The reality behind his arrest and sentence was his petitioning of the U Thein Sein regime for the right to use local waters to fish. The land is currently being leased by a local businessman who has the backing of the authorities who see Than Aye as a nuisance. He was arrested in October last year and sentenced this month.

Such treatment is not limited to civilians. Reports this month emerged of a member of the Burmese navy, Ko Ko Thurein, being locked up for supposedly involving himself with political activities. He wrote a letter to President U Thein Sein stating that soldiers in the armed forces had lost their rights. His commanding officer was told to do what he likes with him and detained him for a month. Ko Ko Thurein also revealed that families of navy had been banned from hanging the portrait of Daw Aung San Suu Kyi as well as her father and national hero, General Aung San, in their homes. It is clear that there is a continuation of detaining and silencing any person, civilian or otherwise, who speaks out against the authorities.

March 30th

[Slingshot possession lands fisherman in jail \(DVB\)](#)

March 26th

[Fragile freedoms in Myanmar \(New York Times\)](#)

March 22nd

[Villagers resist eviction, sentenced to hard labour \(DVB\)](#)

Daw Aung San Suu Kyi

Daw Aung Suu Kyi has had a frenetic month of campaigning for the Aril 1st by-elections. While she and her party have been permitted to contest these seats, the campaign has faced several incidents of harassment while many voters have felt intimidation and been up against fraudulent voter lists.

March 8th

[Suu Kyi's convoy pelted with stones \(DVB\)](#)

[Suu Kyi 'anxious' about Burmese election \(Mizzima\)](#)

Key International Developments

High profile visits have continued this month, including the Canadian foreign minister, John Baird, Malaysian prime minister Datuk Seri Najb Tun Razak, ASEAN Secretary-general Surin Pitsuwan, and US special envoy Derek Mitchell arriving in Burma to assess the latest developments and meet with the opposition and the regime. The focus from visiting dignitaries was the April by-elections with the US, the EU and Australia indicating that the fairness of the ballot to be a major factor for sanctions to be lifted. Despite this, however, concern for political prisoners has not gone unnoticed. Derek Mitchell was given a list of political prisoners by human rights groups working for their release, including AAPP-B, the Former Political Prisoners Group in Rangoon, and the NLD. Mitchell stated that he had discussed the issue with the U Thein Sein regime and that the issue remains a condition for the lifting of sanctions: “The conditions for sanctions and other restrictions are more than these elections or democracy, there are specific issues that have to do with the release of all political prisoners, that have to do with the ethnic minority issues, have to do with other issues.” Also, a report by the US Congressional Research Service on Burma’s political prisoners stated that the issue would play a significant role if Congress is to amend, lift, or modify sanctions.

This concurs with trade unions and other organizations’ concern for political prisoners not to be forgotten. The Trade Union Congress (TUC) in the UK issued a strong statement warning countries not to lift sanctions prematurely. Evidence of forced labor, the continued incarceration of political prisoners and other human rights abuses have not abated and as such, sanctions should not be lifted. The Burma Campaign UK echoed this sentiment, warning governments not to prioritize trade over human rights. They highlighted the fact that one of the conditions for sanctions to be lifted has always been the unconditional release of all political prisoners. As Mark Farmaner of Burma Campaign UK stated: “There are still hundreds of political prisoners in jail, and if the British government let the EU relax pressure prematurely, the chances of them all being released will be small.”

The UN Special Rapporteur for human rights in Burma, Tomas Ojea Quintana, urged the Burmese regime to become actively involved in ending human rights abuses, one of which is the continued detention of political prisoners. He once again called for a “comprehensive and thorough investigation be undertaken to clarify records and determine accurate numbers” yet the regime remains obdurate in its refusal to allow such an investigation.

In order to highlight this issue to a greater audience, AAPP-B joint-secretary, Ko Bo Kyi has been touring the US promoting ‘Into the Current,’ a film co-produced by AAPP-B that tells the plight of former and current political prisoners. Thus he has been speaking and answering questions about the film, political prisoners and the human rights situation in Burma at universities, film centers and non-governmental organizations across the US to remind people in the West that political prisoners are still suffering.

March 29th

[Australian FM says sanctions to be eased in steps \(Mizzima\)](#)

[UK must not abandon Burma’s political prisoners \(Mizzima\)](#)

[US Sen. Jim Webb to visit Burma after by-election \(Mizzima\)](#)

March 28th

[US Congress to assess Burma’s political prisoner issue \(Irrawaddy\)](#)

[Prime Minister leaves for Myanmar \(Bernama\)](#)
[Statement by the Spokesperson of EU High Representative, Catherine Ashton, on the reform process and the elections in Myanmar on 1 April 2012 \(Council of the European Union\)](#)

March 27th

[Surin assesses Burmese reforms \(Mizzima\)](#)

March 26th

[Australia ready to lift sanctions on Myanmar \(Bernama\)](#)

March 21st

[Burma calls on US and EU election observers \(DVB\)](#)

March 16th

[Kachin crisis 'inconsistent' with reform: US \(DVB\)](#)

[US envoy told 619 political prisoners in Burma \(Irrawaddy\)](#)

March 15th

[Burma's new law of assembly falls short: HRW \(Irrawaddy\)](#)

March 14th

[US envoy calls for free and fair Myanmar polls \(AP\)](#)

March 12th

[UN expert calls on Myanmar to take 'active approach' to protect human rights \(UN News Centre\)](#)

March 9th

[Election body warned on voter fraud \(DVB\)](#)

March 8th

[U.S. envoy Mitchell returning to Burma \(DVB\)](#)

March 6th

['Burma sanctions must stay': trade unions \(DVB\)](#)

March 5th

[Make Burma end forced labour before dropping sanctions: TUC \(Mizzima\)](#)

[Keep up the pressure on Myanmar's generals \(New York Times\)](#)

[In symbolic step to expand ties, John Baird set to visit Myanmar \(Globe and Mail\)](#)

Conclusion

The human rights situation as it pertains to political and civil liberties has worsened in the month of March, standing in stark contrast to the media hype surrounding the upcoming Parliamentary by elections in April that, if held in a “free and fair” manner, would legitimize the nominally civilian regime in the eyes of the international community and more concretely, potentially result in the lifting of sanctions. Away from the spotlight of the media, individuals in Burma continue to face routine harassment, arbitrary detention, and torture for openly criticizing state authorities and demanding to be accorded their most fundamental rights, including freedom of expression and assembly.

The number of arrests skyrocketed this month, totaling 46, a level that has not been reached in over 2 years. This is over 8 times the amount of arrests in the month preceding the 2010 presidential elections – where incidences of repression and harassment were all too common and Burma was still officially under overt military

rule. Overwhelmingly, those arrested in March were detained in relation to state-sponsored development projects in Burma: forty-three of the arrests were connected to a development project. Six villagers from Lewe Township were sentenced to 3 months hard labor for refusing a forced relocation order authorized by the City Development Corporation. Similarly 9 Shwe Gas activists were arrested in Tharkayta Township for distributing t-shirts. While those who protest state-led initiatives have always been vulnerable to arrest and harassment, the recent mushrooming of development projects, especially in remote ethnic areas, means that mass arrests of individuals who refuse to comply with the interests of the project is becoming more common.

The arrests underscore the dire need for the rule of law to be implemented in Burma and for there to be legal reform that complies with international human rights standards. While it is welcome that there has been a succession of political prisoners released over the past year, they mean little when the laws that sanctioned their arrest are still firmly in place. Former political prisoners for the large part have had their sentences merely suspended and are at great risk of re-arrest for violating laws that, as highlighted by Special Rapporteur Quintana, are in direct contrast with human rights standards. A clear example of this is the case of U Gambira, a monk former political prisoner who has been re-arrested multiple times since his release in January 2012. U Gambira's repeated arbitrary detentions for periods of several days, where his family has not been informed of where his whereabouts and there has been no legal basis for his detention, is indicative of the constant harassment former political prisoners are forced to endure. The nefarious laws that sanction this reprehensible behavior, which include the Electronic Transactions Act and Unlawful Associations Act, must be immediately repealed and replaced with laws that protect rather than violate the rights of the people. The rule of law is absolutely essential to guaranteeing freedoms.

Political prisoners should not have to rely on the whims of the President for their freedom. They were arrested under draconian unlawful laws and should be immediately and unconditionally released. The case of KNU leader Mahn Nyein Maung, who was subject to a rushed court case out of line with judicial standards and then released 6 days later under a Presidential pardon shows the lengths the regime will go to appear generous. Mahn Nyein Maung referred to his case as mental torture as on several occasions he was told his freedom would be granted and yet continued to be held in detention. This move is not uncommon, as in January former army captain Nay Myo Zin was re-arrested the day after his release from prison, and then released again under a presidential pardon. Fundamental freedoms should not be contingent solely on the President – the only way to ensure everyone is accorded their rights is by establishing the rule of law.

Assistance Association for Political Prisoners (Burma)

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